

What is claimed is:

1. (Original) A barley plant, or a part thereof, comprising less than 5% of the LOX-1 activity of a wild-type barley plant.
2. (Original)The barley plant, or a part thereof, according to claim 1, wherein said part of said barley plant is kernel(s).
3. (Original)The barley plant, or a part thereof, according to claim 1, wherein the embryos of said plant comprise less than 5% of the LOX-1 activity of the embryos of a wild-type barley plant.
4. (Original)The barley plant, or a part thereof, according to claim 1, wherein said plant or part thereof comprises less than 1% LOX-1 protein compared to a wild-type barley plant.
5. (Original)The barley plant, or a part thereof, according to claim 1, wherein said plant is produced by a method comprising the steps of; or said plant is progeny of a plant produced by a method comprising the steps of:
 - (i) determining the LOX-1 activity in wild-type barley kernels or parts thereof; and
 - (ii) mutagenizing barley plants, and/or barley kernels, and/or barley embryos, and/or barley cells and/or barley tissue, thereby obtaining barley of generation M₀; and
 - (iii) breeding said mutagenized barley plants, kernels, cells, tissue and/or embryos, for at least 2 generations, thereby obtaining barley plants of generation M_x, wherein x is an integer ≥ 2 ; and
 - (iv) obtaining kernels or parts thereof from said barley plants of generation M_x; and
 - (v) determining the LOX-1 activity in said kernels or parts thereof; and

- (vi) selecting plants wherein the LOX-1 activity of the mutagenized kernels or parts thereof is less than 5% than the LOX-1 activity of the wild-type kernels or part thereof.
- 6. (Previously Amended) The barley plant, or a part thereof, according to claim 1, wherein the gene encoding LOX-1 of said plant comprises a premature nonsense codon.
 - 7. (Previously Amended) The barley plant, or a part thereof, according to claim 1, wherein the gene encoding LOX-1 of said plant comprises a nonsense codon, said codon corresponding to base no.s 3572–3574 of SEQ ID NO: 2.
 - 8. (Previously Amended) The barley plant, or a part thereof, according to claim 7, wherein said plant is designated D112 having American Type Culture Collection (ATCC) deposit accession No. PTA-5487, or a progeny plant thereof.
 - 9. (Previously Amended) The barley plant, or a part thereof, according to claim 1, wherein the gene encoding LOX-1 of said plant comprises at least one mutation within a splice site.
 - 10. (Previously Amended) The barley plant, or a part thereof, according to claim 9, wherein the gene encoding LOX-1 of said plant comprises a splice site mutation, said mutation corresponding to base no. 2311 of SEQ ID NO: 6.
 - 11. (Previously Amended) The barley plant, or a part thereof, according to claim 10, wherein said plant is designated A618 having ATCC deposit accession No. PTA-5584 or a progeny plant thereof.

12. (Previously Amended) The barley plant, or a part thereof, according to claim 1, wherein said plant is characterized by:
 - (i) having enhanced disease resistance; or
 - (ii) having reduced potential for the production of mycotoxins; or
 - (iii) comprising regenerable cells for use in tissue culture; or
 - (iv) any combination of the traits of (i) to (iii).
13. (Previously Amended) The barley plant, or a part thereof, according to claim 12, further characterized by the presence of a gene encoding LOX-1, wherein said gene comprises:
 - (i) a premature nonsense codon; or
 - (ii) a splice site mutation.
14. (Previously Amended) The barley plant according to claim 13, further characterized by the presence of a gene encoding LOX-1, said gene comprising:
 - (i) a nonsense codon corresponding to base no.s 3572–3574 of SEQ ID NO: 2; or
 - (ii) a splice site mutation corresponding to base no. 2311 of SEQ ID NO: 6.
15. (Withdrawn and Previously Amended) A composition comprising the barley plant or part thereof according to claim 1.
16. (Withdrawn and Previously Amended) A malt composition comprising a processed barley plant or part thereof, wherein said barley plant is the barley plant according to claim 1.
17. (Withdrawn and Previously Amended) The malt composition according to claim 16, wherein said part of said barley plant is kernel(s).

18. (Withdrawn and Previously Amended) A wort composition prepared using the barley plant or part thereof according to claim 1 or using a malt composition prepared from said barley plant or part thereof or mixtures thereof.
19. (Withdrawn and Previously Amended) The wort composition according to claim 18, wherein said part of said plant is kernel(s).
20. (Withdrawn and Previously Amended) The wort composition according to claim 18, wherein said composition is prepared using an enzyme composition or an enzyme mixture composition.
21. (Withdrawn and Previously Amended) A composition prepared from a mixture of
 - (i) a composition comprising a barley plant or a part thereof, comprising less than 5% of the LOX-1 activity of a wild-type barley plant; and
 - (ii) a malt composition according to claim 16.
22. (Withdrawn and Previously Amended) A wort composition or a beverage prepared from the composition of claim 21.
23. (Withdrawn and Previously Amended) A beverage having stable organoleptic qualities, wherein said beverage is obtained by manufacturing the barley plant or part thereof of claim 1.
24. (Withdrawn and Previously Amended) The beverage according to claim 23, wherein said beverage is beer.
25. (Withdrawn and Previously Amended) The beverage according to claim 23, wherein said beverage is prepared using malt prepared from kernels of said barley plant.

26. (Withdrawn and Previously Amended) The beverage according to claim 23, wherein said beverage is prepared from a wort composition prepared from a barley plant or part thereof, or from a malt composition prepared from said barley plant or part thereof, wherein said barley plant comprises less than 5% of the LOX-1 activity of a wild-type barley plant.
27. (Withdrawn and Previously Amended) The beverage according to claim 23, wherein said beverage is prepared from unmalted barley plants or parts thereof.
28. (Withdrawn and Previously Amended) The beverage according to claim 23, wherein said beverage is a non-fermented beverage
29. (Withdrawn and Previously Amended) The beverage according to claim 23, wherein said barley plant, or parts thereof, comprise a gene encoding LOX-1, said gene comprising:
 - (i) a nonsense codon; or
 - (ii) a splice site mutation.
30. (Withdrawn and Previously Amended) The beverage according to claim 29, wherein the gene encoding LOX-1 comprises:
 - (i) a nonsense codon, said codon corresponding to base no.s 3572–3574 of SEQ ID NO: 2; or
 - (ii) a splice site mutation, said mutation corresponding to base no. 2311 of SEQ ID NO: 6.
31. (Withdrawn and Previously Amended) A beverage having stable organoleptic qualities, wherein said beverage is manufactured by using a barley plant, wherein the ratio of

9,12,13-trihydroxyoctadecenoic acid to 9,10,13-trihydroxyoctadecenoic acid within said beverage is at the most 1.8.

32. (Withdrawn and Previously Amended) The beverage according to claim 31, wherein said beverage is prepared by fermentation of a barley plant, or parts thereof, or extracts thereof, and wherein said barley plant comprises less than 5% of the LOX-1 activity of a wild-type barley plant.
33. (Withdrawn and Previously Amended) The beverage according to claim 31, wherein said beverage is beer.
34. (Withdrawn and Previously Amended) A beverage having stable organoleptic qualities, wherein said beverage is manufactured by using a barley plant, and wherein said beverage comprises at the most 0.05 ppb free *trans*-2-nonenal (T2N) after incubation at 37°C for 4 weeks, in the presence of in the range of 4 to 6 ppm sulfite.
35. (Withdrawn and Previously Amended) The beverage according to claim 34, wherein the beverage is manufactured by fermentation of a barley plant, or parts thereof, or extracts thereof, and wherein said barley plant comprises less than 5% of the LOX-1 activity of a wild-type barley plant.
36. (Withdrawn and Previously Amended) The beverage according to claim 34, wherein the ratio of 9,12,13-trihydroxyoctadecenoic acid to 9,10,13-trihydroxyoctadecenoic acid within said beverage is at the most 1.8.
37. (Withdrawn and Previously Amended) The beverage according to claim 34, wherein said beverage is beer.

38. (Withdrawn and Previously Amended) A plant product produced from the barley plant, or a part thereof, according to claim 1.
39. (Withdrawn and Previously Amended) The plant product according to claim 38, wherein said plant product is a beverage.
40. (Withdrawn and Previously Amended) A method of producing:
- (i) a food composition; or
 - (ii) a feed composition; or
 - (iii) a fragrance raw material composition; or
 - (iv) any combination of (i) to (iii);
- using a barley plant or part thereof according to claim 1.
41. (Withdrawn and Previously Amended) A food composition, a feed composition, or a fragrance raw material composition comprising the barley plant or part thereof according to claim 1.
42. (Previously Amended) A method for expressing a recombinant protein in barley to obtain a barley plant according to claim 1, wherein said method comprises stably transforming said plant with a nucleic acid sequence comprising, as operably linked components, a promoter expressible in barley plants or parts thereof, a DNA sequence encoding said recombinant protein, and a transcriptional termination region.
43. (Withdrawn and Previously Amended) A method of modulating levels of a protein in barley to obtain a barley plant according to claim 1, the method comprising stably transforming said plant with a nucleic acid sequence comprising, as operably linked components, a promoter expressible in barley plants, a DNA sequence, and a

transcriptional termination region, wherein expression of said DNA sequence reduces the expression of a gene encoding said protein by:

- (i) antisense silencing; or
- (ii) co-suppression silencing; or
- (iii) RNA interference.

44. (Withdrawn and Previously Amended) A method of preparing the barley plant according to claim 1, the method comprising stably transforming a barley plant with a nucleic acid sequence comprising, as operably linked components, a promoter expressible in barley plants, a DNA sequence, and a transcriptional termination region, wherein expression of said DNA sequence reduces the expression of the gene encoding LOX-1 by:

- (i) antisense silencing; or
- (ii) co-suppression silencing; or
- (iii) RNA interference.

45. (Previously Amended) A method of producing a beverage having stable organoleptic qualities, said method comprising the steps of:

- (i) preparing a composition comprising a barley plant or parts thereof according to claim 1;
 - (ii) processing the composition of (i) into a beverage;
- thereby obtaining a beverage with stable organoleptic qualities.

46. (Previously Amended) The method according to claim 45, wherein step (i) comprises preparing a malt composition from kernels of said barley plant or part thereof.

47. (Previously Amended) A method of producing a malt composition with low or no LOX-1 activity, said method comprising the steps of:

- (i) providing kernels according to claim 2;
- (ii) steeping said kernels;

- (iii) germinating the steeped kernels under predetermined conditions;
 - (iv) treating germinated kernels with heat;
- thereby producing a malt composition with no or low LOX-1 activity.

48. (Previously Amended) A method of preparing a barley plant comprising less than 5% of the LOX-1 activity of a wild-type barley plant comprising the steps of:

- (i) determining the LOX-1 activity in wild-type barley kernels or parts thereof; and
- (ii) mutagenizing barley plants and/or barley kernels and/or barley embryos and/or barley cells and/or barley tissue thereby obtaining generation M0 barley; and
- (iii) breeding said mutagenized barley plants, kernels, cells, tissue and/or embryos for at least 2 generations, thereby obtaining generation Mx barley plants, wherein x is an integer ≥ 2 ; and
- (iv) obtaining kernels or parts thereof from said Mx barley plants; and
- (v) determining the LOX-1 activity in said kernels or parts thereof; and
- (vi) selecting plants wherein the LOX-1 activity of the mutagenized kernels or parts thereof is less than 5% than the LOX-1 activity of the wild-type kernels or part thereof;

thereby obtaining a barley plant comprising less than 5% of the LOX-1 activity of a wild-type barley plant.

39. (Previously Amended) A method of preparing a barley plant comprising less than 5% of the LOX-1 activity of a wild-type barley plant, wherein the method comprises the steps of:

- (i) mutagenizing barley plants, and/or barley kernels and/or barley embryos; and
- (ii) optionally breeding said mutagenized barley plant/barley kernel/barley embryo; and
- (iii) determining the presence or absence of a mutation in the barley gene encoding LOX-1, said mutation leading to a gene encoding a polypeptide form of LOX-1

comprising less than 700 contiguous amino acids of the sequence set forth in SEQ

ID NO: 3; and

- (iv) selecting plants carrying the mutation provided in *(ii)*.